

Attorney Docket No.: DEX-0205
Inventors: Pluta et al.
Serial No.: 09/823,101
Filing Date: March 30, 2001
Page 2

RECEIVED

JAN 07 2003

TECH CENTER 1600/2900

In the Claims:

Please cancel claim 9, without prejudice.

Please amend the claims as follows:

C1
B1
1. (amended) An isolated polynucleotide comprising:
(a) SEQ ID NO: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 or 13; or
(b) a nucleic acid sequence having at least 95% identity
with an antisense sequence of SEQ ID NO: 1, 2, 3, 4, 5, 6, 7, 8,
9, 10, 11, 12 or 13.

REMARKS

Claims 1, 3-6 and 9 are pending in the instant application. Claims 1, 3-6 and 9 have been rejected. Claim 1 has been amended. Claim 9 has been canceled without prejudice. No new matter has been added by these amendments. Reconsideration is respectfully requested in light of these amendments and the following remarks.

III. Rejection of Claims under 35 U.S.C. § 102(b)

Claims 1(b), 3-6 and 9 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Kato et al. (1983). Arguments presented by Applicants in the previous response with respect to the Kato gene only having 92% identity and the instant